

Central Administrative Tribunal
Patna Bench, Patna.
 [Circuit Bench at Ranchi]
O.A./051/00738/2018

Date of Order:- 18.12.2019

C O R A M

Hon'ble Shri Dinesh Sharma, Member [A]
Hon'ble Shri Swarup Kumar Mishra, Member [J]



Niraj Kumar Bakshi, S/o late Subodh Kumar Sinha, aged 36 years, resident of Village & PO – Nagarbarsot via Barhi – 825405, PS – Barhi, District – Hazaribagh, Jharkhand.

....Applicant

By Advocate : Mr. Rajendra Prasad
 Vs.

1. Union of India, through the Secretary [Post], Postal Service Board, Ministry of Communication, Department of Posts, Dak Bhaswan, Sansad Marg, New Delhi – 110001.
2. The Chief Postmaster General, Jharkhand Circle, PO & PS – Doranda- 834002, District – Ranchi, Jharkhand.
3. The Director Postal Service, Jharkhand Circle, PO & PS – Doranda- 834002, District – Ranchi, Jharkhand.
4. The Asstt. Director of Postal Services [Personnel], Jharkhand Circle, PO & PS – Doranda- 834002, District – Ranchi, Jharkhand.
5. The Superintendent of Post Offices, Hazaribagh Division, PO, PS and District – Hazaribagh – 825301, Jharkhand.
6. The Inspector Posts, Koderma Sub-Division, PO/PS – Koderma – 825410, District – Hazaribagh, Jharkhand.

..... Respondents.

By Advocate : Ms. Babita Bharti

O R D E R [oral]

Per Swarup Kumar Mishra, M [J] :-

The applicant

has filed the instant OA for quashing and setting aside the order dated 03.08.2018 [Annexure-A/4] and for a direction upon the respondent no.2 to consider the claim of the applicant for engagement on compassionate ground to the post of GDS in view of continuous penurious condition of the dependents of the deceased GDS.

2. Heard the learned counsel for the parties and perused the materials on record.

3. The learned counsel, besides urging the grounds as taken in the OA, has also submitted that the concerned authority has not considered the educational certificate, i.e. Plus-2 passed certificate of the applicant and income certificate dated 06.06.2011 while awarding points in favour of the applicant in accordance with the Scheme, vide Annexure-A/6 for providing compassionate appointment. He submits that the applicant should have been awarded 20 points for his educational certificate of Plus-2 and 10 points towards income of the family but instead of that the concerned authority have not awarded any points towards educational certificate and wrongly assigned merit points towards income of the family, which is not proper.



4. The Tribunal is satisfied that there is non-application of mind. Therefore, the impugned orders dated 03.08.2018 [Annexure-A/1] is quashed and set aside.

5. Under the circumstances, for the ends of justice, it is necessary to dispose of this OA by giving a direction to the respondent authorities. Accordingly, the respondent authorities, particularly Respondent No.2 is directed to re-consider the case of the applicant for appointment on compassionate ground in accordance with extant rules and relevant circulars governing the field by giving due weightage to the criteria of educational qualification and income certificates and also other aspects of the applicant and by

placing the matter in the next CRC. The applicant is given opportunity to make a fresh application by enclosing the relevant documents and taking the grounds available to him in this regard within 15 days from the date of receipt of a copy of this order so that the said application can be considered by the respondents sympathetically and pass orders preferably within a period of three months from the date of receipt of such application.



6. The OA stands disposed of accordingly. No costs.

[Swarup Kr. Mishra]M[J]

[Dinesh Sharma]M[A]

mps